

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-against-	:	22-CR-425 (VEC)
	:	
	:	<u>ORDER</u>
CHIWENDU ALISIGWE,	:	
	:	
Defendant.	:	
	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on January 6, 2023, Alisigwe filed a motion to suppress, *see* Def. Not. of Mot., Dkt. 27;

WHEREAS on August 4, 2023, the Government responded to Defendant's motion to suppress, *see* Gov't Mem., Dkt. 57;

WHEREAS on October 13, 2023, Alisigwe filed a reply in support of his motion to suppress; *see* Def. Mem., Dkt. 79; and

WHEREAS on November 17, 2023, the parties appeared for a suppression hearing (the "Hearing");

IT IS HEREBY ORDERED that for the reasons stated at the Conference, no later than **Wednesday, November 22, 2023**, Alisigwe may file a brief, **not to exceed seven pages**, on whether the plain view exception applies to the seizure of passports in his bedroom. The Government's response brief, **also not to exceed seven pages**, is due no later than **Wednesday, November 29, 2023**.

IT IS FURTHER ORDERED that not later than **Wednesday, November 29, 2023**, the Government must submit a letter via ECF providing the Court the dates on which Alisigwe's international mail was intercepted.

IT IS FURTHER ORDERED that for the reasons stated at the Conference, Alisigwe's motion for reconsideration of the duress defense is taken under advisement.

IT IS FURTHER ORDERED that for the reasons stated at the Conference, if the Court denies Alisigwe's motion for reconsideration, then the Government's motion to preclude evidence of a backdoor duress defense is GRANTED.

IT IS FURTHER ORDERED that for the reasons stated at the Conference, Alisigwe's motion to preclude cumulative, irrelevant, and prejudicial evidence of the underlying fraud is DENIED without prejudice. Alisigwe may reraise the objection if and when the Government attempts to offer cumulative, irrelevant, or prejudicial evidence.


IT IS FURTHER ORDERED that for the reasons stated at the Conference, Alisigwe's motion for early disclosure of § 3500 materials and an exhibit list is DENIED. That said, the Government is encouraged to provide Alisigwe with the § 3500 material and an exhibit list as early as possible.

IT IS FURTHER ORDERED that for the reasons stated at the Conference, the Government's motion to limit the cross-examination of Special Agent McKeen to the scope of the direct and matters concerning his credibility is GRANTED.

IT IS FURTHER ORDERED that for the reasons stated at the Conference, the Government's motion for discovery is DENIED. That said, Alisigwe is encouraged to provide the Government and the Court with an exhibit list of routine exhibits that do not reveal confidential trial strategy in advance of trial.

SO ORDERED.

Date: November 20, 2023
New York, NY



VALERIE CAPRONI
United States District Judge